

United States District Court FILED
CLERKS OFFICE

DISTRICT OF

2005 MAR 29 A 11:52

MASSACHUSETTS

U.S. DISTRICT COURT
DISTRICT OF MASS

THE MASSACHUSETTS INSTITUTE FOR A NEW
COMMONWEALTH,

SUMMONS IN A CIVIL CASE

Plaintiff,

V.

CASE NUMBER:

NICHE MEDIA HOLDINGS, LLC,

Defendant.

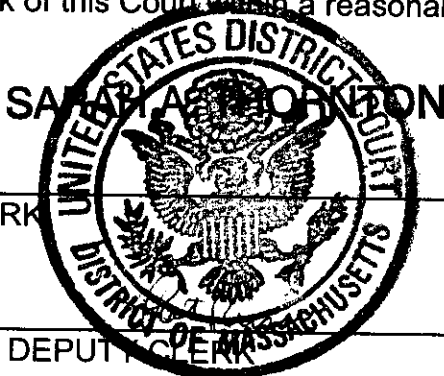
05 - 10422 PBS

TO: NICHE MEDIA, LLC
275 Park Avenue South, 5th Floor
New York, NY 10110

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael Boudett
FOLEY HOAG LLP
155 Seaport Blvd
Boston, MA 02109

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



CLERK

DATE

3-705

(BY) DEPUTY CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

-----X
**THE MASSACHUSETTS INSTITUTE FOR
A NEW COMMONWEALTH,**

Plaintiff(s),

-against-

NICHE MEDIA HOLDINGS, LLC,

Defendant(s).
-----X

STATE OF NEW YORK)

S.S.:

COUNTY OF NEW YORK)

HECTOR FIGUEROA, being duly sworn, deposes and says, that deponent is not a party to the action, is over 18 years of age and is employed by the attorney service, DLS, INC.

That on the 21st day of March 2005, at approximately 12:40 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL CASE, COMPLAINT, JURY TRIAL DEMANDED, LOCAL RULE 7.3 CORPORATE DISCLOSURE STATEMENT AND CIVIL COVER SHEET** upon Niche Media, LLC at 257 Park Avenue South, 5th floor, New York, NY 10110, by personally delivering and leaving the same with Caryn Whitman, COO, who informed deponent that she is an agent authorized by appointment to receive service at that address.

Caryn Whitman is a white female, approximately 30 years of age, stands approximately 5 feet 7 inches tall, and weighs approximately 130 pounds with red hair and light eyes.


HECTOR FIGUEROA #870141

Sworn to before me this
23rd day of March, 2005

NOTARY PUBLIC

DANIEL GOLDMAN
Notary Public, State Of New York
N.O. 31-5062405
Qualified in NY County
Certificate Filed in New York County
Commission Expires July 1, 2006

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